



Defendant to comply with traditional notions of fair play and substantial justice, satisfying the standard set forth by the United States Supreme Court in International Shoe Co. v. Washington, 326 U.S. 310 (1945) and its progeny.

3. This Court has original subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1331 because the claims arise under laws of the United States. This Court has supplemental jurisdiction over any state claims Plaintiff may pursue (now or in the future) because such claim(s) would arise out of the same common nucleus of operative facts as her federal claims asserted herein.

4. Venue is properly laid in this District pursuant to 28 U.S.C. sections 1391(b)(1) and (b)(2), because Defendant resides in and/or conducts business in this judicial district and because a substantial part of the acts and/or omissions giving rise to the claims set forth herein occurred in this judicial district.

### **III. Parties**

5. The foregoing paragraphs are incorporated herein in their entirety as if set forth in full.

6. Plaintiff is an adult with an address as set forth above.

7. The City of Philadelphia, by and through its departments (such as Parks & Recreation), is a municipal entity operating in the State of Pennsylvania and employing more than 100 employees in many organizations, branches, and departments.

8. At all times relevant herein, Defendant acted by and through its agents, servants, and employees, each of whom acted at all times relevant herein in the course and scope of their employment with and for the benefit of Defendant.

#### IV. Factual Background

9. The foregoing paragraphs are incorporated herein in their entirety as if set forth in full.

10. Plaintiff was hired by Defendant effective on or about August 11, 2014; and in total, Plaintiff was employed with Defendant for approximately 6.5 years.

11. Plaintiff was at all relevant times a full-time employee of Defendant working as a plumbing and heating maintenance worker.

12. As to Plaintiff's role at work, Plaintiff was managed by Michael Finnen (Plaintiff's immediate supervisor).

13. Plaintiff was considered to work within Defendant's Parks & Recreation Department until being involuntarily terminated effective on March 17, 2021 (as outlined *ad nauseum, infra*).

14. On March 1, 2021, Plaintiff contacted Keivanna Jones ("Jones," working within Defendant's Health Department) via e-mail seeking FMLA forms for medical leave. Plaintiff was immediately referred to Romesha Wilson ("Wilson"). Wilson was copied on the response from Jones wherein Jones referred Plaintiff to Wilson for FMLA documentation. Wilson has and remains employed by Defendant as "human resources" for Defendant's Parks and Recreation Department.

15. Plaintiff needed leave under the FMLA in March because his elderly mother was very ill, and she was unable to care for herself. Prior to March of 2021, Plaintiff had been an exemplary employee performing his job exceptionally well in all respects.

16. To be blunt, Wilson handled Plaintiff's FMLA needs totally incorrectly, negligently and incompetently. She then caused Plaintiff to be terminated (discussed in depth

below) due to her own continual errors, mistakes *and unlawful handling of FMLA administration*.<sup>1</sup>

17. By March 9, 2021, Plaintiff's mother had fallen and had substantial injuries to her leg, back and hip. Plaintiff was seeking FMLA leave from his immediate supervisor and human resources and consent to start his FMLA leave for over a week.<sup>2</sup>

18. Despite Plaintiff requesting FMLA *for over a week*, it was not until March 10, 2021 that Wilson decided to document to Plaintiff: "On Friday March 5, 2021, you have requested Family and Medical Leave ("FMLA") for Family Member's Serious Health Condition. Enclosed please find the "Notice of Eligibility and Rights and Responsibilities," the "Certification of Health and Care Provider for Family Member's Serious Health Condition" forms (FMLA Certification) along with other information." Per the correspondence and attachments to Plaintiff, Plaintiff was given *until "March 25, 2021"* to return all FMLA documentation to support his FMLA needs, absence and leave.

19. There was literally **a documented e-mail chain** wherein Plaintiff had requested FMLA documentation on March 1, 2021 (wherein *Wilson was a part* of that e-mail chain). Pursuant to 29 C.F.R. § 825.300(b)(1), Defendant was *statutorily required* to provide Plaintiff with all FMLA documentation "**within five business days**" of March 1, 2021.<sup>3</sup>

20. The March 10, 2021 letter Wilson wrote to Plaintiff *falsely* identified that Plaintiff requested FMLA documentation or notified of FMLA needs on "March 5, 2021." Wilson

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<sup>1</sup> The mishandling of Plaintiff's FMLA needs, the gross incompetence of statutory non-compliance, and the prejudice Plaintiff suffered was outrageous and egregious.

<sup>2</sup> Plaintiff was unaware that he was supposed to be permitted to immediately use FMLA leave and thereafter be given documents to justify his urgent need for FMLA.

<sup>3</sup> All FMLA documents were federally required to be provided to Plaintiff by no later than March 7, 2021.

selected *a false date* 5 days from her notification to give the impression Defendant was statutorily compliant (thus knowingly placing a false date in such letter).<sup>4</sup>

21. Plaintiff would have commenced FMLA leave *sooner*, but he was being told that he was not permitted to commence FMLA leave until HR “approved” his FMLA leave. This was extremely prejudicial to Plaintiff. In fact, the majority of employees nationwide start using federally-protected leave time under the FMLA due to issues that suddenly come up without notice (and later submit FMLA paperwork after already commencing FMLA leave).

22. Plaintiff’s supervisor (Finnen) even memorialized Defendant’s unlawful administration of the FMLA. On March 10, 2021, Finnen engaged in e-mail exchanges with Wilson and others wherein he actually memorialized that Plaintiff was told “he can not go on FMLA without HR approval.” Defendant’s prohibition of permitting Plaintiff to care for his mother for *over a week* was *per se* unlawful. *See* 29 C.F.R. § 825.313 (where medical leave needs are “unforeseeable,” the employee has “15 calendar days from receipt of [FMLA documents and the certification]” to return such documentation justifying his ongoing need for FMLA leave.<sup>5</sup>

23. Federal leave under the FMLA is expressly for unforeseeable circumstances (and for imminent leave needs), but Defendant illegally treated the FMLA like it was some kind of

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<sup>4</sup> Plaintiff omits a substantial block citation herein. But the failure to provide an employee with FMLA documentation within five days of such needs prohibits an employer from contesting the employee’s need for FMLA leave (or from requiring FMLA documentation to later justify the FMLA absenteeism).

<sup>5</sup> Accepting Defendant’s per se unlawful administration of FMLA leave, an employee in a car accident with severe injuries, an employee whose wife becomes immediately hospitalized with a stroke, or an employee whose child falls and fractures his skull at school must continue working for weeks without ever being allowed to treat, see, or care for his or her family member while an employer processes paperwork. The actual FMLA regulations themselves prohibit this approach and even give examples. *See e.g.* 29 C.F.R. § 825(b)(explaining where FMLA leave needs are “unforeseeable,” such as “in the case of a medical emergency,” an employee can continue using FMLA leave and even be entitled to longer than 15 days to provide FMLA documentation supporting a medical need for absences. In fact, the only time FMLA leaves are normally foreseeable such that approval can be given pre-leave is for maternity or paternity leave.

vacation policy requiring weeks of approval processes before it can start (regardless of employee or medical exigency).

24. After waiting 10 days to be permitted to start caring for his mother (who needed care sooner), Plaintiff had no choice but to leave work on March 10, 2021 to start providing care for his mother. She needed help and could not care for herself. Finnen memorialized to Wilson and others via e-mail on March 10, 2021 that Plaintiff said he had to start his FMLA that day and left his shift early to commence FMLA.

25. The *only reason* Plaintiff was even sent the March 10, 2021 letter from Wilson is because he waited so long to care for his mother, complained to his immediate management that HR was not following up with him, and that he had to stop working to take care of his mother on March 10, 2021.

26. In fact, Joseph Rainis (“Rainis”), a Superintendent for Defendant’s Parks and Recreation Department, wrote in an e-mail on March 10, 2021 to Wilson and others that Plaintiff complained: “[H]e has tried to get in touch with [HR] and he has not received anything back from HR. So, at this point James has left work and he said he is on FMLA.”

27. As of March 10, 2021, Defendant had: (a) ignored Plaintiff’s pleas to start FMLA to take care of his mother; (b) did not timely give him any FMLA documents per statutory requirements; and (c) prejudiced Plaintiff by not letting him start using FMLA leave earlier.

28. After Wilson was exposed for ignoring Plaintiff for approximately 10 days, she then falsified the date on the FMLA notice as if Plaintiff sought FMLA only 5 days earlier, not 10 days earlier.

29. Compounding Wilson’s incompetence, the physician whom Plaintiff took FMLA documents to would not agree to fill them out because of Defendant’s ongoing FMLA mistakes.

In particular, Wilson had sent Plaintiff FMLA forms with a different employee's health / personal information within them (giving Plaintiff the FMLA forms of a different employee). Plaintiff was willing to cross out or write over the other employee's information, but no reasonable physician would fill out or prepare FMLA documentation bearing a different employee's information.

30. Plaintiff was then provided with revised FMLA documentation; but before he could even get it filled out or submitted to Defendant, he was suddenly terminated effective March 17, 2021. This was despite that his FMLA forms expressly stated he had until "March 25, 2021" to submit FMLA forms to justify his FMLA absence(s). Pursuant to 29 C.F.R. § 825.313, Defendant was statutorily required to give Plaintiff at least 15 days to get his FMLA forms filled out to justify his prior (or ongoing) FMLA usage. Thus, Defendant even ignored its own forms giving Plaintiff 15 days (per FMLA regulations), as well as requirements of the FMLA.

31. Plaintiff kept in touch with Defendant's management and human resources while out confirming his need for FMLA, care for his mother, and attempts to get FMLA documents filled out / submitted.

32. Shockingly (and falsely), Plaintiff was terminated though effective March 17, 2021. And the basis of Defendant's termination was: Plaintiff was "charged absent without leave (AWOL) for five (5) consecutive days from March 10, 2021 to March 16, 2021 . . . and did not "report to work as scheduled." A letter to Plaintiff from Misty Caleb (Human Resources Manager) memorialized that on "March 17<sup>th</sup> [Plaintiff] was advised that [he was] being terminated for job abandonment after reaching five (5) consecutive AWOL days."

33. Defendant's non-compliance with the FMLA, termination of Plaintiff for using FMLA, and completely illegal FMLA administration literally shocks the conscience of any objectively reasonable person. And all levels of management and human resources were on e-mails outlining all of the above, illustrating institutional incompetence and illegality.

34. Plaintiff seeks all available remedies including but not limited to backpay, reinstatement, front pay (if reinstatement is not feasible), liquidated damages, attorney's fees, and costs (among any other damages available).

**Count I**  
**Violations of Family and Medical Leave Act ("FMLA")**  
**(Interference & Retaliation)**

35. The foregoing paragraphs are incorporated herein in their entirety as if set forth in full.

36. Plaintiff was a full-time employee who worked for Defendant for more than 1 year within a location that employed at least 50 employees within 75 miles. Plaintiff met all eligibility requirements to be legally entitled to FMLA at anytime in calendar year 2021 (inclusive of March, 2021 and thereafter).

37. Plaintiff seeks relief herein for: (a) Defendant's failures to properly designate FMLA, failure to provide proper information and notices and to follow FMLA regulations; (b) Defendant's attempts and actions to dissuade use of FMLA rights and privileges; (c) Defendant's mistreatment of Plaintiff for his exercise and/or attempted exercise of her FMLA rights (including preventing him from taking necessary leave and forcing him to continue working); and (d) for terminating Plaintiff because of and following the functional exercise of his FMLA rights and to prevent Plaintiff from further exercising his FMLA rights.



38. The actions and inactions as outlined in this entire complaint and only briefly summarized in this Count Section constitute both interference and retaliation violations of the FMLA.

**WHEREFORE**, Plaintiff prays that this Court enter an order providing that:

A. Defendant is to be prohibited from continuing to maintain its illegal policies, practices, or custom(s) of discriminating or retaliating against employees based on FMLA needs, and is to be ordered to promulgate an effective policy against such discrimination/retaliation/interference and to adhere thereto;

B. Defendant is to compensate Plaintiff, reimburse Plaintiff, reinstate Plaintiff where determined to be possible and/or feasible, and make Plaintiff whole for any and all pay and benefits Plaintiff would have received had it not been for Defendant's illegal actions, including but not limited to back pay, front pay (absent reinstatement), salary, pay increases, bonuses, many remaining unpaid expenses incurred while working for Defendant, medical and other benefits, training, promotions, pension, and seniority. Plaintiff should be accorded those benefits illegally withheld from the date he first suffered the aforesaid unlawful actions at the hands of Defendant until the date of verdict, and Plaintiff specifically seeks reinstatement as a remedy herein;

C. Plaintiff is to be liquidated damages as permitted by applicable law, in an amount believed by the Court or trier of fact to be appropriate to punish Defendant for their willful, deliberate, malicious and outrageous conduct, and to deter Defendant or other employers from engaging in such misconduct in the future;

D. Plaintiff is to be accorded any and all other equitable and legal relief as the Court deems just, proper, and appropriate;

E. Plaintiff is to be awarded the costs and expenses of this action and reasonable legal fees as provided by applicable federal and state law;

F. Any verdict in favor of Plaintiff is to be molded by the Court to maximize the financial recovery available to Plaintiff in light of the caps on certain damages set forth in applicable federal law;

G. Plaintiff's claims are to receive a trial by jury to the extent allowed by applicable law. Plaintiff has also endorsed this demand on the caption of this Complaint in accordance with Federal Rule of Civil Procedure 38(b).

Respectfully submitted,

**KARPF, KARPF, & CERUTTI, P.C.**

By:



\_\_\_\_\_  
Ari R. Karpf  
3331 Street Road  
Two Greenwood Square, Suite 128  
Bensalem, PA 19020  
(215) 639-0801

Date: December 17, 2021

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CASE MANAGEMENT TRACK DESIGNATION FORM**

James Ditsche

CIVIL ACTION

v.

City of Philadelphia, d/b/a Philadelphia Parks and Recreation Department


NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

**SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:**

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ( )
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ( )
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ( )
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ( )
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ( )
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

12/17/2021

**Date**
  
**Attorney-at-law**

Plaintiff

**Attorney for**

(215) 639-0801

**Telephone**

(215) 639-4970

**FAX Number**

akarpf@karpf-law.com

**E-Mail Address**

**DESIGNATION FORM**

(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: 4512 E. Stiles Street, Philadelphia, PA 19124

Address of Defendant: 1515 Arch Street, Philadelphia, PA 19102

Place of Accident, Incident or Transaction: Defendant's place of business

**RELATED CASE, IF ANY:**

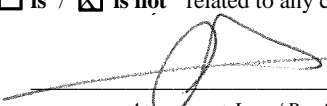
Case Number: \_\_\_\_\_ Judge: \_\_\_\_\_ Date Terminated: \_\_\_\_\_

Civil cases are deemed related when **Yes** is answered to any of the following questions:

- |  |                              |  |
|--|------------------------------|--|
| 1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?  | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?            | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?  | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

I certify that, to my knowledge, the within case ☐ is / ☒ is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 12/17/2021

  
Attorney-at-Law / Pro Se Plaintiff

ARK2484 / 91538

Attorney I.D. # (if applicable)

**CIVIL: (Place a ✓ in one category only)**

**A. Federal Question Cases:**

- |                                     |   |
|-------------------------------------|---|
| <input type="checkbox"/>            | 1. Indemnity Contract, Marine Contract, and All Other Contracts |
| <input type="checkbox"/>            | 2. FELA   |
| <input type="checkbox"/>            | 3. Jones Act-Personal Injury                                    |
| <input type="checkbox"/>            | 4. Antitrust  |
| <input type="checkbox"/>            | 5. Patent   |
| <input type="checkbox"/>            | 6. Labor-Management Relations                                   |
| <input checked="" type="checkbox"/> | 7. Civil Rights   |
| <input type="checkbox"/>            | 8. Habeas Corpus  |
| <input type="checkbox"/>            | 9. Securities Act(s) Cases                                      |
| <input type="checkbox"/>            | 10. Social Security Review Cases                                |
| <input type="checkbox"/>            | 11. All other Federal Question Cases                            |

(Please specify): \_\_\_\_\_

**B. Diversity Jurisdiction Cases:**

- |                          |  |
|--------------------------|--|
| <input type="checkbox"/> | 1. Insurance Contract and Other Contracts        |
| <input type="checkbox"/> | 2. Airplane Personal Injury                      |
| <input type="checkbox"/> | 3. Assault, Defamation                           |
| <input type="checkbox"/> | 4. Marine Personal Injury                        |
| <input type="checkbox"/> | 5. Motor Vehicle Personal Injury                 |
| <input type="checkbox"/> | 6. Other Personal Injury (Please specify): _____ |
| <input type="checkbox"/> | 7. Products Liability                            |
| <input type="checkbox"/> | 8. Products Liability – Asbestos                 |
| <input type="checkbox"/> | 9. All other Diversity Cases                     |

(Please specify): \_\_\_\_\_

**ARBITRATION CERTIFICATION**

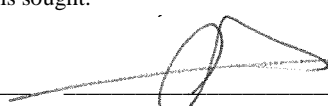
(The effect of this certification is to remove the case from eligibility for arbitration.)

I, Ari R. Karpf, counsel of record or pro se plaintiff, do hereby certify:

☒ Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:

☐ Relief other than monetary damages is sought.

DATE: 12/17/2021

  
Attorney-at-Law / Pro Se Plaintiff

ARK2484 / 91538

Attorney I.D. # (if applicable)

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

DITSCH, JAMES

(b) County of Residence of First Listed Plaintiff Philadelphia  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Karpf, Karpf & Cerutti, P.C.; 3331 Street Road, Two Greenwood Square,  
Suite 128, Bensalem, PA 19020; (215) 639-0801; akarpf@karpf-law.com

**DEFENDANTS**

CITY OF PHILADELPHIA, D/B/A PHILADELPHIA PARKS  
AND RECREATION DEPARTMENT Philadelphia  
County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	1	1	Incorporated or Principal Place of Business In This State	4	4
Citizen of Another State	2	2	Incorporated and Principal Place of Business In Another State	5	5
Citizen or Subject of a Foreign Country	3	3	Foreign Nation	6	6

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice <b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

**V. ORIGIN** (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
FMLA (29USC2601)

Brief description of cause:  
Violations of the FMLA.

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$

CHECK YES only if demanded in complaint:  
JURY DEMAND: ☒ Yes ☐ No

**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

12/17/2021

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

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